

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELECTRONICALLY FILED

----- X
ENERGY BRANDS INC. d/b/a GLACÉAU,

Plaintiff,

v.

SPIRITUAL BRANDS, INC. and ELICKO
TAIEB,

Defendants.
----- X

07 Civ. 10644 (LTS)

**STATEMENT PURSUANT TO
RULE 7.1**

This statement is submitted pursuant to Rule 7.1 of the Federal Rules of Civil Procedure in order to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal. The undersigned counsel of record certifies that plaintiff Energy Brands Inc. d/b/a Glacéau is a wholly-owned subsidiary of The Coca-Cola Company, a publicly-held corporation.

Dated: November 28, 2007
New York, New York

DEBEVOISE & PLIMPTON LLP

By: /s/ S. Zev Parnass
David H. Bernstein (DB 9564)
S. Zev Parnass (SP 3284)
919 Third Avenue
New York, New York 10022
(212) 909-6696 (telephone)
(212) 521-7696 (facsimile)

*Attorneys for Plaintiff Energy Brands Inc.
d/b/a Glacéau*